

Translation

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY
(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference MR2 03067PCT	FOR FURTHER ACTION	See Form PCT/IPEA/416
International application No. PCT/FR2004/001971	International filing date (day/month/year) 23.07.2004	Priority date (day/month/year) 23.07.2003
International Patent Classification (IPC) or national classification and IPC H05B41/282, H05B41/24		
Applicant SAINT-GOBAIN GLASS FRANCE		

<p>1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of <u>7</u> sheets, including this cover sheet.</p> <p>3. This report is also accompanied by ANNEXES, comprising:</p> <p>a. <input type="checkbox"/> (sent to the applicant and to the International Bureau) a total of _____ sheets, as follows:</p> <p><input type="checkbox"/> sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).</p> <p><input type="checkbox"/> sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.</p> <p>b. <input type="checkbox"/> (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) _____, containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).</p>																									
<p>4. This report contains indications relating to the following items:</p> <table><tr><td><input checked="" type="checkbox"/></td><td>Box No. I</td><td>Basis of the report</td></tr><tr><td><input type="checkbox"/></td><td>Box No. II</td><td>Priority</td></tr><tr><td><input checked="" type="checkbox"/></td><td>Box No. III</td><td>Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</td></tr><tr><td><input type="checkbox"/></td><td>Box No. IV</td><td>Lack of unity of invention</td></tr><tr><td><input checked="" type="checkbox"/></td><td>Box No. V</td><td>Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</td></tr><tr><td><input type="checkbox"/></td><td>Box No. VI</td><td>Certain documents cited</td></tr><tr><td><input type="checkbox"/></td><td>Box No. VII</td><td>Certain defects in the international application</td></tr><tr><td><input type="checkbox"/></td><td>Box No. VIII</td><td>Certain observations on the international application</td></tr></table>		<input checked="" type="checkbox"/>	Box No. I	Basis of the report	<input type="checkbox"/>	Box No. II	Priority	<input checked="" type="checkbox"/>	Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability	<input type="checkbox"/>	Box No. IV	Lack of unity of invention	<input checked="" type="checkbox"/>	Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement	<input type="checkbox"/>	Box No. VI	Certain documents cited	<input type="checkbox"/>	Box No. VII	Certain defects in the international application	<input type="checkbox"/>	Box No. VIII	Certain observations on the international application
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Date of submission of the demand	Date of completion of this report																								
Name and mailing address of the IPEA/EP	Authorized officer																								
Facsimile No.	Telephone No.																								

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Box No. I Basis of the report

1. With regard to the language, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.
 - ☐ This report is based on translations from the original language into the following language _____, which is the language of a translation furnished for the purposes of:
 - ☐ international search (Rule 12.3 and 23.1(b))
 - ☐ publication of the international application (Rule 12.4)
 - ☐ international preliminary examination (Rule 55.2 and/or 55.3)
2. With regard to the elements of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)*:
 - ☐ the international application as originally filed/furnished
 - ☒ the description:
 - pages 1-17 _____ as originally filed/furnished
 - pages* _____ received by this Authority on _____
 - pages* _____ received by this Authority on _____
 - ☒ the claims:
 - nos. 1-15 _____ as originally filed/furnished
 - nos.* _____ as amended (together with any statement) under Article 19
 - nos.* _____ received by this Authority on _____
 - nos.* _____ received by this Authority on _____
 - ☒ the drawings:
 - sheets 1/4-4/4 _____ as originally filed/furnished
 - sheets* _____ received by this Authority on _____
 - sheets* _____ received by this Authority on _____
 - ☐ a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.
3. ☐ The amendments have resulted in the cancellation of:
 - ☐ the description, pages _____
 - ☐ the claims, nos. _____
 - ☐ the drawings, sheets/figs _____
 - ☐ the sequence listing (*specify*): _____
 - ☐ any table(s) related to sequence listing (*specify*): _____
4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).
 - ☐ the description, pages _____
 - ☐ the claims, nos. _____
 - ☐ the drawings, sheets/figs _____
 - ☐ the sequence listing (*specify*): _____
 - ☐ any table(s) related to sequence listing (*specify*): _____

* If item 4 applies, some or all of those sheets may be marked "superseded."

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Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability

The questions whether the claimed invention appears to be novel, to involve an inventive step (to be non obvious), or to be industrially applicable have not been examined in respect of:

☐ the entire international application☒ claims Nos. 15

because:

☒ the said international application, or the said claims Nos. 15
relate to the following subject matter which does not require an international preliminary examination (*specify*):

Since no search has been carried out on the subject matter of claim 15 *per se* (a planar structure forming part of a plasma CVD system), but only in combination with a circuit for a planar lamp, a full opinion will not be given on said claim.

However, it appears that D6 (paragraph 2) discloses the use of UV rays emitted by lamps with a dielectric barrier in photochemical processes.

☐ the description, claims or drawings (*indicate particular elements below*) or said claims Nos. _____
are so unclear that no meaningful opinion could be formed (*specify*):☐ the claims, or said claims Nos. _____ are so inadequately supported
by the description that no meaningful opinion could be formed.☐ no international search report has been established for said claims Nos. _____☐ the nucleotide and/or amino acid sequence listing does not comply with the standard provided for in Annex C of the Administrative Instructions in that:

the written form

☐ has not been furnished☐ does not comply with the standard

the computer readable form

☐ has not been furnished☐ does not comply with the standard☐ the tables related to the nucleotide and/or amino acid sequence listing, if in computer readable form only, do not comply with the technical requirements provided for in Annex C-bis of the Administrative Instructions.☐ See Supplemental Box for further details.

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Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement		
1. Statement			
Novelty (N)	Claims		YES
	Claims	1-14	NO
Inventive step (IS)	Claims		YES
	Claims	1-14	NO
Industrial applicability (IA)	Claims	1-14	YES
	Claims		NO
2. Citations and explanations (Rule 70.7)			
1. In the present report, reference is made to the following documents:			
D1: EP 0 529 551 A (DIEHL GMBH & CO) 3 March 1993 (1993-03-03)			
D2: EP 0 374 617 A (HELLA KG HUECK & CO) 27 June 1990 (1990-06-27)			
D3: US 4 633 141 A (WEBER PAUL J) 30 December 1986 (1986-12-30)			
D4: PATENT ABSTRACTS OF JAPAN vol. 2003, no. 10, 8 October 2003 (2003-10-08) & JP 2003 173889 A (HARISON TOSHIBA LIGHTING CORP), 20 June 2003 (2003-06-20)			
D5: JP 2001 217090 A (USHIO INC) 10 August 2001 (2001-08-10)			
D6: US 2002 093295 (OKAMOTO) 18 July 2002 (2002-07-18).			
2. INDEPENDENT CLAIM 1			
The present application fails to meet the requirements of PCT Article 33(1), since the subject matter of claim 1 does not comply with the criterion of novelty			

Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
	<p>as defined by PCT Article 33(2).</p> <p>Due to the expressions "intended for" and "at least two electrodes and a space within which a gas is present", the wording of claim 1 is so broad that:</p> <ul style="list-style-type: none">(i) it covers only the circuit and therefore not the lamp;(ii) it covers circuits for supplying fluorescent lamps (D1), for supplying high-intensity gas discharge lamps (D2), for supplying dielectric barrier lamps (D4 or D5) or for supplying electroluminescent lamps (D3). <p>2.1 D1 describes (abstract; column 2, lines 1 to 13; column 5, lines 3 to 15; figure 1) a circuit for supplying a fluorescent lamp, which circuit includes:</p> <ul style="list-style-type: none">- a voltage generator (3, S1, S2);- an inductor (7, 6, 13);- means (17, 20) for setting the control frequency of the switches (S1, S2) to the resonant frequency of the charging circuit (12, 6, 13, 16). <p>D1 therefore deprives the subject matter of claim 1 of novelty.</p> <p>2.2 D2 describes (abstract; column 13, lines 1 to 23; figure 3) a circuit for supplying a high-intensity gas discharge lamp, which circuit includes:</p> <ul style="list-style-type: none">- a voltage generator (W);- an inductor (Ls);- means (P, A) for setting the control frequency of the voltage generator (W) to the resonant

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frequency of the charging circuit (Ls, C1, G)).

D2 therefore deprives the subject matter of claim 1 of novelty.

2.3 D3 describes (abstract; column 1, line 7 to column 2, line 18; figures 5 to 9) a circuit for supplying an electroluminescent lamp, which circuit includes;

- a voltage generator (607, 609);
- an inductor (301);
- means (603) for setting the control frequency of the voltage generator to the resonant frequency of the charging circuit (301, 200).

D3 therefore deprives the subject matter of claim 1 of novelty.

2.4 D4 describes (abstract; figure) a circuit for supplying a dielectric barrier lamp (200), which circuit includes;

- a voltage generator (Inv);
- an inductor (13);
- a self-oscillating control (5) for the voltage generator, i.e. means for setting the control frequency to the resonant frequency of the charging circuit (13, 200).

D4 therefore deprives the subject matter of claim 1 of novelty.

2.5 D5 describes (abstract; figure 11b) a circuit for supplying a dielectric barrier lamp, which circuit

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includes;

- a voltage generator (Q2, Q3);
- an inductor (T3);
- a self-oscillating control for the voltage generator, i.e. means for setting the control frequency to the resonant frequency of the charging circuit.

D5 therefore deprives the subject matter of claim 1 of novelty.

3. INDEPENDENT CLAIM 11

The subject matter of independent use claim 11 is not novel over D3, D4 or D5, since the circuits disclosed in said documents are for supplying either dielectric barrier lamps (D4 or D5) or electroluminescent lamps (D3), hence the planar lamps as defined in claim 11.

4. DEPENDENT CLAIMS 2 to 10 and 12 to 14

Dependent claims 2 to 10 and 12 to 14 contain no features which, when combined with the features of any one of the claims to which they refer, meet the PCT requirements of novelty and inventive step (PCT Article 33(2) and (3)).